

U.S. House of Representatives

COMMITTEE ON ETHICS

Washington, DC 20515

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STATEMENT OF THE CHAIRMAN AND RANKING MEMBER OF THE COMMITTEE ON ETHICS REGARDING THE MATTER OF REPRESENTATIVE MAXINE WATERS

After a long, careful, and competitive process, Chairman Jo Bonner and Ranking Member Linda Sánchez are pleased to announce that the Committee on Ethics voted unanimously to hire highly respected Washington, D.C., attorney Billy Martin, as an outside counsel to the Committee to review, advise, and assist the Committee in completing the matter of Representative Maxine Waters.

The Committee's decision reflects the high priority of this unique matter and the need to resolve it with the utmost care, diligence, and integrity. The Committee is firmly and unanimously resolved to protect both the rights of Representative Waters and all respondents, as well as the responsibilities of the Committee on Ethics to the House community at large. Representative Waters and her counsel were informed of the committee's decision immediately upon approval of the contract.

Serious allegations have been made about the Committee's own conduct in this matter by Representative Waters and others. The Committee has not taken these allegations lightly. The entire Membership of the Committee on Ethics believes that its work must always comport with the highest standards of integrity. The entire Committee has therefore directed that a thorough review of all of these serious allegations will be the very first task of the outside counsel's engagement, including providing an additional opportunity for Representative Waters to clarify her concerns to the Committee and outside counsel. Outside counsel will then report his findings and conclusions to the full Committee, which will then determine whether the matter should proceed. Should the matter proceed, outside counsel will continue to make appropriate recommendations and provide appropriate assistance to the Committee to complete the matter as quickly as possible.

An adjudicatory hearing on allegations against Representative Waters was postponed on November 18, 2010, when the Committee voted to recommit the matter to an investigative subcommittee for further review. The 111th Congress ended with the matter unresolved. In the 112th Congress, the Committee waited until a new staff director and chief counsel was hired before deciding the proper course of action in this matter. Since that time, the Committee, the staff director and chief counsel, and the Committee staff have worked tirelessly to review and carefully consider the most appropriate options for resolving this matter.

The hiring of an outside counsel will allow for an independent review and a faster resolution than if the Committee staff were to handle it alone. The outside counsel's review will also help assure all respondents and the entire House community of the integrity of the Committee's process for all matters. The Committee's decision will also allow the Committee and its staff to continue to work diligently on its large and growing number of other pending investigative matters, as well as its substantial ongoing work within its advice and education, financial disclosure, travel, and training responsibilities.

Mr. Martin was hired under Committee Rule 6(g), which states the Committee may retain outside counsel when it determines it is "necessary and appropriate," subject to approval by the Committee on House Administration. There is precedent for the Committee to retain the services of outside counsel in resolving a matter, and the Committee has done so a number of times in its history.

The Committee considered numerous excellent candidates for the job. Mr. Martin, a partner in the Washington office of Dorsey & Whitney LLP, brings extensive credentials and experience to this task. In addition to his respected criminal defense practice, which has included representing elected officials on both sides of the aisle, Mr. Martin has also had a wide-ranging and impressive government service career. Starting as a local prosecutor in Cincinnati, Ohio, Mr. Martin became an Assistant United States Attorney, and then, at 29 years old, became the managing attorney in the Dayton branch of the United States Attorney's office for the Southern District of Ohio. In 1981, while serving in San Francisco, California, as a federal prosecutor in the Organized Crime Strike Force, Mr. Martin was appointed by the Department of Justice to serve as a specially assigned prosecutor for a high-profile and sensitive matter in Alaska, when the entire staff of the United States Attorney's office for the District of Alaska was recused. Later, after moving to the United States Attorney's office for the District of Columbia, Mr. Martin rose to the level of Executive Assistant United States Attorney for Operations, overseeing the review of all criminal matters, including complaints in the office against sitting members of Congress, as well as the prosecution of the then-mayor of the District of Columbia, Marion Barry.

Mr. Martin plans to begin work immediately, leading an impressive team of partners and associates, and working closely, where appropriate, with the permanent Committee staff. Mr. Martin will operate under the Committee's rules of confidentiality, which are an essential element of assuring fairness to all respondents and the integrity of all investigations. While the Committee takes its adherence to these rules seriously as a matter of integrity and principle, the Committee does make significant information about its matters publicly available for scrutiny at the appropriate times and in the appropriate circumstances. Until the next such appropriate time, however, neither the Committee nor outside counsel will have further public comment on this matter.

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